

REMARKS/ARGUMENTS

The Examiner has indicated that restriction to one of the following inventions is required under 35 U.S.C. § 121: Group I – Claims 1-11, Group II – Claims 12-19, Group III – Claims 20-30, and Group IV – Claims 31-39.

Applicants respectfully traverse the restriction requirement between Group I (Claims 1-11) and Group II (Claims 12-19). Applicants respectfully submit that the process claimed in Group I and the apparatus claimed in Group II are so inextricably related that the inventions should be examined in the same application. A search of the prior art generally relating to a method including esophageal stimulation of a vagal nerve and epicardial stimulation of a heart would also require a search of the prior art generally relating to apparatuses operable to perform esophageal nerve stimulation and cardiac stimulation. As a result, Applicants respectfully submit that examination of both Groups I and II would not create a serious burden on the Examiner.

Accordingly, Applicants request removal of the restriction requirement between Groups I and II. Applicants have cancelled Claims 20-39 (Groups III and IV). If the Examiner upholds the restriction requirement between Groups I and II, Applicants elect to prosecute Group I (Claims 1-11).

Respectfully submitted,



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